



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,791	06/13/2000	Keita Watanabe	3542-0104P	7997

2292 7590 12/04/2003

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
----------

FAULK, DEVONA E

ART UNIT	PAPER NUMBER
----------	--------------

2644

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/592,791

Applicant(s)

WATANABE, KEITA

Examiner

Devona E. Faulk

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/592,791.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 2,3,7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,4,5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated Fujiuchi et al. (US Patent 5,844,484).

Regarding claim 1, Fujiuchi discloses a theft preventive apparatus having an alarm output device comprising a speaker housing (32; Figure 4) which reads on “a case”; a piezoelectric buzzer (21a; Figure 4) which reads on “a sound generating device mounted in the case”; a battery (V; Figure 3) mounted on the terminal unit, the bottom part of speaker housing, which reads on “a battery mounted on the case”; terminals (33a and 33b; Figure 8) located on the back of the terminal unit, which reads on terminals provides on the case”; and terminals (31 and 33c; Figure 8) for plus and minus electrode connections of battery V, which reads on “which read on a pair of leads connecting a pair of electrodes of the battery with the terminals;”.

Art Unit: 2644

Claim 4 claims the sound generator of claim 1 wherein the sound-generating device is a buzzer. Fujiuchi teaches of a piezoelectric buzzer, which reads on "wherein the sound generating device is a buzzer. Thus all elements of claim 4 are comprehended by claim 1.

Claim 5 claims the sound generator of claim 1 wherein the battery is a disc type battery, and has an upper electrode and lower electrode. As stated above in apropos of claim 1, Hughes meets all elements of that claim.

Regarding claim 5, Fujiuchi further teaches of the battery (V) being a flat battery or button type battery, (column 6, line 22) and teaches of the battery having a minus and a plus electrode (column 7, line 47; column 8, line 28) which reads on "the battery is a disc type battery, and has an upper electrode lower electrode".

Claim 6 claims the sound generator of claim 1 wherein the terminals comprises a pair of terminals for applying a voltage of a battery to a control circuit, and a pair of terminals for applying a voltage from the control circuit to the buzzer for operating it.

Regarding claim 6, Fujiishi teaches that the battery will supply power to the respective circuits in the box (2) (column 6, line22). Terminals (31 and 33c) are for plus and minus electrode connections of battery V. These features read on "a pair of terminals for applying a voltage of a battery to a control circuit". Terminals are (33a and 33b) are connected to the plus and minus electrodes of the piezoelectric buzzer which reads on " a pair of terminals for applying a voltage from the control circuit to the buzzer for operating it".

Art Unit: 2644

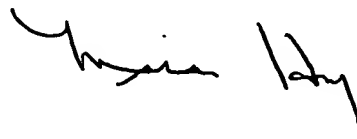
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devona E. Faulk whose telephone number is 703-305-4359. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

DF



**MINSUN OH HARVEY  
PRIMARY EXAMINER**